

Exhibit 3

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**IN RE CATTLE AND BEEF
ANTITRUST LITIGATION**

Civil No. 20-cv-1319 (JRT/HB)

Judge John R. Tunheim

*This Document relates to:
In re Cattle*

**AMENDED PROPOSAL FOR DOCUMENT CUSTODIANS, NON-
CUSTODIAL DOCUMENT SOURCES, AND DATE RANGES BY JBS USA
FOOD COMPANY, SWIFT BEEF COMPANY, JBS PACKERLAND, INC, AND
JBS S.A.**

Defendants JBS USA Food Company (“JBS USA”), Swift Beef Company (“Swift Beef”), JBS Packerland, Inc. (“JBS Packerland”), and JBS S.A. (collectively the “JBS Defendants”) by and through their undersigned counsel, make the following updated proposal regarding (i) document custodians, (ii) non-custodial sources, and (iii) date ranges pursuant to the Court’s Orders including Section V(B)(6)(a) of Filing No. 254, the Court’s “Second Order on Discovery Pending Resolution of Motions to Dismiss” dated September 8, 2020.¹

The JBS Defendants make this proposal subject to the scope limitations, objections, and responses to document requests as set forth in their Amended Responses and Objections To Plaintiffs’ First Set of Requests for Production of Documents to All Defendants dated October 22, 2021 (“Responses and Objections”).

¹ This amended proposal is also served pursuant to the forthcoming Order Regarding Case Management (“Case Management Order”). Discovery was previously stayed as to JBS S.A. This Amended Proposal for Document Custodians, Non-Custodial Document Sources, and Date Ranges applies to the JBS Defendants as defined herein.

This proposal is based on the information reasonably available to the JBS Defendants at this time. Their investigation into the claims and defenses in this case is ongoing and, as such, this proposal is made without prejudice to their right to supplement, modify, or amend as additional information becomes available through discovery and/or further investigation in accordance with applicable law. This proposal also is subject to the Protective Order entered in this case (Dkt. 197) (“Protective Order”).

Document Custodians

The JBS Defendants propose that the following persons be considered “Document Custodians” as they used that term in their Responses and Objections. For all of these Document Custodians, any search will be limited to the time period when they were employed by the JBS Defendants with responsibilities relating to Cattle or Beef, as the JBS Defendants used those terms in their Responses and Objections.

1. Tim Schellpeper
2. Bill Rupp
3. Wesley Batista Filho²
4. Steven Williams
5. Steve Cohron
6. Sergio Sampaio Nogueira

² The JBS Defendants propose Wesley Batista Filho as a document custodian for JBS USA and Swift for the period of his employment as Head of Fed Beef (JBS USA) and President (Swift) in 2017, to the extent any documents are stored on JBS USA and Swift’s electronic storage systems. This proposal is further subject to Scope Limitation 2 in their Responses and Objections, including that JBS USA and Swift will only produce documents to the extent they relate to Cattle procurement, Beef production, or Beef sales in the United States. The JBS Defendants reserve the right to supplement, amend, or edit this Proposal.

7. Eric Cahoy
8. Shannon Grassl
9. Todd Reed
10. Larry Rose
11. Marco Sampaio
12. Randy Orton
13. Jeff Hamilton

As explained in Scope Limitation No. 2 to the Responses and Objections, JBS S.A. is a Brazilian entity that has limited to no involvement with Beef production and/or Cattle procurement in the United States. As such, the JBS Defendants have identified no persons employed by JBS S.A. who are appropriate document custodians likely to have discoverable information regarding Beef production and/or Cattle procurement in the United States or Live Cattle Futures and Options trading on the CME.³ As further indicated in Scope Limitation No. 3 to the Responses and Objections, the JBS Defendants have proposed to conduct a “reasonable search” of the identified scope, which the JBS Defendants propose will extend to searching non-custodial files for particular types of records.

Non-Custodial Document Sources

The JBS Defendants propose that the following non-custodial document sources be considered as potential sources of documents and information for purposes of their Responses and Objections:

³ The JBS Defendants continue to investigate for appropriate individuals likely to have discoverable information for Defendant JBS S.A. and reserve the right to amend or supplement accordingly.

- AS/400 (server) including Cattle Procurement System;
- Commodity Procurement System (“CPS”) (third-party software with data in Oracle database);
- Network shared drives (*e.g.*, departmental shares);
- SAP ERP (Enterprise Resource Planning) Platform (application with data in SQL database);
- FTP server;
- SQL Server;
- SharePoint.

Date Ranges

The JBS Defendants’ time period proposals below are contingent on evaluating the proportionality of the discovery requested and on the parties’ upcoming discussions on the number of custodians to be searched, the noncustodial sources to be searched, and the search terms and other search methodologies to be deployed. In light of the foregoing, the JBS Defendants reserve the right to revise, as appropriate, any proposed time periods down the road, including the right to propose different date ranges to be applied to different custodians and non-custodial sources, and in response to different Requests for Production.

As indicated in the JBS Defendants’ Responses and Objections, the JBS Defendants will meet-and-confer with Plaintiffs regarding certain Requests to discuss what data is reasonably available and what date range should apply. For the following Requests, the JBS Defendants propose the following date ranges, subject to the scope limitations, objections, and responses in their Responses and Objections, and limited to documents specified to be produced in those

Responses and Objections:

Request No.	Proposed Date Range
1	January 1, 2012 to June 30, 2020
2	January 1, 2014 to June 30, 2020. JBS Defendants will meet-and-confer about the date ranges and the scope of the Request as indicated in their Responses and Objections.
3	January 1, 2014 to June 30, 2020
4	January 1, 2014 to June 30, 2020
5	January 1, 2014 to June 30, 2020
6	January 1, 2014 to June 30, 2020
7	January 1, 2014 to June 30, 2020
8	January 1, 2012 to June 30, 2020
9	January 1, 2012 to June 30, 2020
10	January 1, 2012 to June 30, 2020
11	January 1, 2012 to December 31, 2013 (limited to non-privileged documents sufficient to show any periodic reports specified in JBS Defendants' Objections and

	<p>Responses).</p> <p>January 1, 2014 to June 30, 2020 (for non-privileged documents specified to be produced in JBS Defendants' Responses and Objections).</p>
12	<p>January 1, 2012 to December 31, 2013 (limited to non-privileged documents sufficient to show the number of Cattle slaughtered at JBS Defendants' plants and non-privileged documents sufficient to show any decisions made to increase the capacity in facilities that slaughter or process Cattle).</p> <p>January 1, 2014 to December 31, 2019 (for non-privileged documents specified to be produced in JBS Defendants' Objections and Responses and Objections).</p>
13	<p>January 1, 2012 to December 31, 2013 (limited to non-privileged documents sufficient to show any periodic</p>

	<p>reports specified in JBS Defendants' Responses and Objections).</p> <p>January 1, 2014 to June 30, 2020 (for non-privileged documents specified to be produced in JBS Defendants' Responses and Objections).</p>
14	<p>January 1, 2012 to December 31, 2013 (limited to non-privileged documents sufficient to show any periodic reports specified in JBS Defendants' Responses and Objections).</p> <p>January 1, 2014 to June 3, 2020 (for non-privileged documents specified to be produced in JBS Defendants' Responses and Objections).</p>
15	January 1, 2012 to June 30, 2020
16	January 1, 2014 to June 30, 2020
17	JBS Defendants stand on their Objections and refusal to produce documents in response to this

	Request. Without waiving JBS Defendants' Objections and subject to JBS Defendants' proposal to meet-and-confer, June 1, 2014 to June 30, 2020 for any documents to be produced.
18	January 1, 2014 to June 30, 2020. JBS Defendants will meet-and-confer about the date ranges and the scope of the Request as indicated in their Objections and Responses to Plaintiffs' Requests for Production.
19	January 1, 2014 to June 30, 2020
20	JBS Defendants refer Plaintiffs to the JBS Defendants' proposed date ranges relating to the <i>Peterson</i> Requests For Production for any documents to be produced.

Dated: November 5, 2021

By: /s/Christopher R. Morris

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Counsel for JBS Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2021, I had the foregoing document served on counsel of record by electronic mail.

/s/Christopher R. Morris

Christopher R. Morris